

IN RE: PETITION FOR SPECIAL HEARING
SE/8 Eastern Avenue, 25' NE of
the C/L of Stuart Avenue
(701 Eastern Avenue)
15th Election District
5th Councilmanic District
Amoco Oil Company
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-48-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve an amendment to the previously approved site plans in Case Nos. 3963 and 65-254-RX to close the existing bay doors and convert the existing full service station to a "gas and go" in accordance with Petitioner's Exhibit 1.

The Petitioner, by Charles T. Bogdanowicz, Project Engineer, appeared, testified and was represented by Thomas P. Dore, Esquire. Also appearing on behalf of the Petition was Richard Truelove, Registered Professional Engineer. There were no Protestants.

Testimony indicated that the subject property, known as 701 Eastern Avenue, is zoned B.L.-C.S.-1 and is the site of an existing Amoco Oil service station. Said property was the subject of prior Case No. 3963 in which the property was reclassified from R-6 to B.L. on November 30, 1956. Thereafter, in Case No. 65-254-RX, the property was again granted a reclassification from R-6 to B.L. and a special exception for a filling station on March 24, 1965. Subsequently, in Case No. 72-263-XA, Petitioners requested a special exception for a car wash use in combination with the service station and a variance from the required parking, which were denied on October 29, 1974. Petitioners are now desirous of closing the three service bays and converting from a full service station to a "gas and go" in accordance with Petitioner's Exhibit 1. Mr. Bogdanowicz testified that the service station has had tremendous difficulty remaining in operation due to the increasing number of service garages and automotive specialty shops existing in the area. He testified that there are currently approximately 25 to 30 service garages or automotive specialty shops within a mile of the subject property and that there are 12 such facilities on Eastern Avenue in the immediate vicinity of the subject site. Mr. Bogdanowicz testified that for the past several years, the dealers have suffered financially in operating the service bays. Both Mr. Bogdanowicz and Mr. Truelove testified that the requested modification will not adversely affect the requirements set forth in Sections 502.1 and 405 of the Baltimore County Zoning Regulations (B.C.Z.R.). Petitioners argued that to deny the relief requested would result in practical difficulty and unreasonable hardship without any benefit to the surrounding community. In Mr. Bogdanowicz's opinion, the relief requested will not result in any detriment to the health, safety or general welfare of the community. In response to inquiries regarding the landscaping condition of the property, Petitioners indicated that Petitioners would be willing to work with the Office of Planning and if it was determined that additional planting would be necessary to insure the site provides aesthetic value to the community, Petitioners would comply.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

ORDER RECEIVED FOR FILING
Date 10/16/90
By [Signature]

- 2 -

In light of the subject property existing within the Chesapeake Bay Critical Areas, Section 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) must also be examined.

The written comments submitted by Robert W. Sheesley, Director of DEPREM, dated September 28, 1990, indicate the relief requested sufficiently complies with the requirements of Section 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted.

The evidence presented indicates that the subject service station has existed since prior to the effective date of said regulations. Since no expansion or intensification of its use is planned, the request is not subject to the requirements of Critical Areas legislation as determined by the Department of Environmental Protection and Resource Management in accordance with their comments submitted hereto.

Their recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as set forth therein.

After due consideration of the testimony and evidence presented by Petitioners, all of which was uncontradicted, tend to indicate that the requirements of the B.C.Z.R. have been met and the granting of the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

ORDER RECEIVED FOR FILING
Date 10/16/90
By [Signature]

- 4 -

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of October, 1990 that the Petition for Special Hearing to approve an amendment to the previously approved site plans in Case Nos. 3963 and 65-254-RX to close the existing bay doors and convert the existing full service station to a "gas and go" in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Within sixty (60) days of the date of this Order, Petitioner shall submit a landscaping plan for approval by the Deputy Director of Planning. A copy of the approved plan shall be submitted to this Office prior to the issuance of any permits. The approved landscaping shall be completed on or before June 1, 1991. Said landscaping shall be maintained by Petitioners at all times.
- 3) Petitioners shall provide air and water for the public at no charge.
- 4) Compliance with all Zoning Plans Advisory Committee comments, including, but not limited to, the Office of Planning comments dated July 12, 1990 and the Office of Central Services comments dated June 1, 1990.
- 5) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of

ORDER RECEIVED FOR FILING
Date 10/16/90
By [Signature]

- 4 -

PETITION FOR SPECIAL HEARING CRITICAL AREA TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-48-SPH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the site plans in case # 65-254 RX to close the existing bay doors and convert from a full service station to a "gas and go".

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Amoco Oil Company
(Type or Print Name)
Signature: [Signature]
Address: [Address]
City and State: [City and State]
Attorney for Petitioner: 14520 Green Road 592-591
(Type or Print Name) Address Phone No.
Baldwin, Maryland 21013
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 3 day of August, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 3 day of Oct., 1990, at 9:30 o'clock A.M.

J. Robert Hines
Zoning Commissioner of Baltimore County

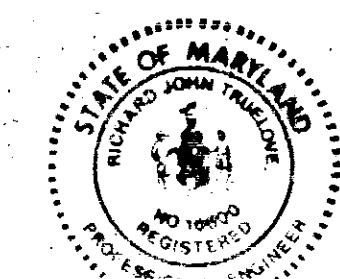
ORDER RECEIVED FOR FILING
Date 10/16/90
By [Signature]

S.C.O.-No.1

(over)

MAN- 5/16/90
at any time
at time - 45 min

#402
CRITICAL AREA
Eastern Avenue and Stuart Street
Roxey, Baltimore County, Maryland
91-48-SPH
BEGINNING at the intersection of the southerly right of way line of Eastern Avenue and the easterly right of way line of Stuart Street; thence easterly along said southerly line of Eastern Avenue North 62° 51' 50" East 150.00 feet; thence South 27° 08' 10" East 145.00 feet; thence South 62° 51' 50" West parallel to Eastern Avenue and at a distance of 150.00 feet to a point in said easterly line of Stuart Street; thence along said easterly line of Stuart Street North 27° 08' 10" West a distance of 145.00 feet to the place of BEGINNING; being situate in the Fifteenth Election District, County of Baltimore, State of Maryland.



Robert J. Hines
RE 10500

J. R. Hines
P.E. 2519

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Receipt
No. 2512

Date: 5/15/90
H9000402

PUBLIC HEARING FEES	QTY	PRICE
040 - SPECIAL HEARING (OTHER)	1 X	\$175.00
TOTAL:		\$175.00

Cashier Validation: [Signature]

Please make checks payable to: Baltimore County

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th
Posted for: Special Hearing
Petitioner: Amoco Oil Company
Location of property: SE/8 Eastern Ave., 25' NE/15th St.
Location of Sign: [Address]
Remarks: [Address]
Posted by: [Signature]
Date of return: 8/17/90
Number of Signs: 1

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Petition for Special Hearing Case number: 91-48-SPH, SE/S Eastern Avenue, 25' NE of c/l of Stuart Avenue, 701 Eastern Avenue, 15th Election District, 5th Councilmanic District.
Petitioner(s): Amoco Oil Company
Hearing Date: Wednesday, Oct. 3, 1990 at 9:30 a.m.
Special Hearing: An amendment to the site plan in case #3963 and #65-245RX to close the existing bay doors and convert from a full service station to a "gas and go".
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
9009 Sept. 6

CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/11, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/6, 1990.

THE JEFFERSONIAN,

Publisher

\$42.70

CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/11, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/6, 1990.

THE JEFFERSONIAN,

Publisher

\$42.70

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

No. 3563

Date

9/1-48

PURPLE HEARING SETS

POSTING SETS

LAST NAME OF OWNER: BODANOWICZ

Cashier Validation:

Please make checks payable to: Baltimore County

CERTIFICATE OF PUBLICATION

Office of

THE AVENUE NEWS

442 Eastern Blvd.
Baltimore, Md. 21221

Sept. 6, 1990

THIS IS TO CERTIFY, that the annexed advertisement of

Amoco Oil Company in the matter of Petition for Special Hearing, Case # 91-48-SPH, P.O. # 0107038, Req # M46028, 91 lines @.55 or \$50.05

was inserted in The Avenue News a weekly newspaper

published in Baltimore County, Maryland once a week for 1

successive week(s) before the 7 day of Sept. 1990

that is to say, the same was inserted in the issues of Sept. 6, 1990

The Avenue Inc.

per publisher

By Diane B. Caldwell

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Petition for Special Hearing Case Number: 91-48-SPH, SE/S Eastern Avenue, 25' NE of c/l of Stuart Avenue, 701 Eastern Avenue, 15th Election District, 5th Councilmanic District.
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Hearing Date: Wednesday, October 3, 1990 at 9:30 A.M.
Special Hearing: An amendment to the site plan in case #3963 and #65-245RX to close the existing bay doors and convert from a full service station to a "gas and go".
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
Maryland

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

DATE 9/18/90

Amoco Oil Company
c/o Charles T. Bogdanowicz
14520 Green Road
Baldwin, Maryland 21013

Re: Petition for Special Hearing
CASE NUMBER: 91-48-SPH
SE/S Eastern Avenue, 25' NE of c/l of Stuart Avenue
701 Eastern Avenue
15th Election District - 5th Councilmanic
Petitioner(s): Amoco Oil Company
HEARING: WEDNESDAY, OCTOBER 3, 1990 at 9:30 a.m.

Gentlemen:

Please be advised that \$117.25 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING. ON THE OTHER HAND, IF YOU DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING,

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:gs

cc: Anthony J. DiPaula, Esq.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

August 7, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Special Hearing
CASE NUMBER: 91-48-SPH
SE/S Eastern Avenue, 25' NE of c/l of Stuart Avenue
701 Eastern Avenue
15th Election District - 5th Councilmanic
Petitioner(s): Amoco Oil Company
HEARING: WEDNESDAY, OCTOBER 3, 1990 at 9:30 a.m.

Special Hearing: An amendment to the site plan in case #3963 and #65-245RX to close the existing bay doors and convert from a full service station to a "gas and go".

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: Amoco Oil Company, c/o Charles T. Bogdanowicz
Anthony J. DiPaula, Esq.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

October 3, 1990

Mr. Charles T. Bogdanowicz
Amoco Oil Company
14520 Green Road
Baldwin, MD 21013

RE: Item No. 402, Case No. 91-48-SPH
Petitioner: Charles T. Bogdanowicz
Petition for Special Hearing

Dear Mr. Bogdanowicz:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Your petition has been received and accepted for filing this

8th day of August, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Charles T. Bogdanowicz, et al

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: July 12, 1990
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Amoco Oil Company, Item No. 402

The Petitioner requests a Special Hearing to amend the plans in Case Nos. 3963 and 65-254-RX to enable the closure of the existing bay doors and convert from a full service station to a "gas and go."

Based upon review of the information provided and the analysis conducted, staff offers the following comments:

- Any lighting fixtures used for illumination and security purposes should be arranged to reflect the light away from adjacent residential properties and public streets.
- No outdoor display of retail merchandise shall be permitted.
- Temporary signs or seasonal banners shall not be permitted on site.
- Dumpsters should be screened from public view.
- The Petitioner shall submit a landscape plan to the Office of Planning and Zoning prior to the issuance of any building permits. The plan should include the planting of street trees along Eastern Avenue.
- A note shall be included on the landscape plan indicating that any planting provided in the public right-of-way shall be maintained by the Petitioner.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3354

June 6, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 388, 394, 396, 397, 398, 399, 400, 403, 404, 402, 406 and 407.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lvw

RECEIVED
JUN 13 1990
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTEROFFICE MEMORANDUM

DATE: June 1, 1990
TO: J. Robert Haines
Zoning Commissioner
FROM: F. Douglas Johnson, Deputy Director
Office of Central Services
SUBJECT: Zoning Advisory Committee

The attached listing of variances does not impact Central Services.

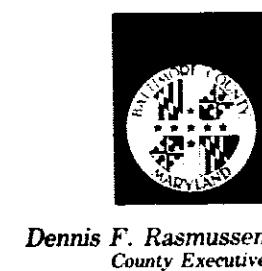
Item 402 does pose some concern. If this is to be a new structure, there is no problem. However, if this is an old structure-gas station which is being converted to a gas and go, it may be a good idea to have the ground tested for leaking oil, fuel, etc.

TH:DJ:js

RECEIVED
JUN 6 1990
ZONING OFFICE

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(801) 887-4500
Paul H. Reincke
Chief

JUNE 4, 1990



J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: AMOCO OIL COMPANY
Location: #701 EASTERN AVENUE
Item No.: 402 Zoning Agenda: JUNE 5, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

ALL SELF-SERVICE STATIONS SHALL HAVE 1 ATTENDANT ON DUTY WHILE THE STATION IS OPEN TO THE PUBLIC. THE ATTENDANT'S PRIMARY FUNCTION SHALL BE TO SUPERVISE, OBSERVE, AND CONTROL THE DISPENSING OF CLASS 1 LIQUIDS WHILE ACTUALLY BEING DISPENSED. NFPA 30, 1987 ED., SEC. 7-8.4.3. AND SEC. 7-8.4.4.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 24

REVIEWER: *[Signature]* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: May 29, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for June 5, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 387, 388, 394, 396, 397, 398, 399, 400, 402, 403, 404, 406 and 407.

For Item 401, the previous County Review Group comments still apply.

RWB:e

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner
DATE: September 28, 1990

FROM: Mr. Robert W. Sheesley

SUBJECT: Petition for Zoning Variance - Item 402
Amoco Oil Property
Chesapeake Bay Critical Area Findings

SITE LOCATION

The subject property is located at 701 Eastern Avenue. The site is within the Chesapeake Bay Critical Area and is classified as an Intensely Developed Area (IDA).

APPLICANT'S NAME Mr. Charles T. Bogdanowicz

APPLICANT PROPOSAL

The applicant has requested a Special Hearing to amend the site plan in Case #3963 and #65-254 RA to close the existing bay doors and convert from a full service station to a "gas and go".

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.0>

Memo to Mr. J. Robert Haines
September 28, 1990
Page 2

DEFINITIONS

"Development activities" means the construction or substantial alteration of residential, commercial, industrial, institutional, or transportation facilities or structures.

REGULATIONS AND FINDINGS

1. Regulation: "All development activities are also subject to Critical Area Regulations in title 38 of the County Code" <Baltimore County Code Section 22-205>.

Finding: The applicant proposes to close the existing bay doors. No other use is proposed for this building. If any intensification or substantial alteration of this building is proposed then the applicant shall comply with all Critical Area Regulations. If future development activities are proposed on this property, then the applicant shall comply with Chesapeake Bay Critical Area Regulations.

CONCLUSION

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above.

Upon compliance with Chesapeake Bay Critical Area Regulations, this project will be approved. If there are any questions, please contact Mr. David C. Flowers at 887-2904.

Robert W. Sheesley
Robert W. Sheesley, Director
Department of Environmental Protection
and Resource Management

RWS:DCF:ju
Attachment
cc: The Honorable Ronald B. Hickernell
The Honorable Norman M. Lauenstein
The Honorable Dale T. Volz
Mrs. Janice B. Outen
Amoco Oil Co. - Charles Bogdanowicz

COVAHEY & BOOZER, P. A.

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER
MARK S. DEVAN
ANTHONY J. DIPAUULA
THOMAS R. DORE
* ADMITTED TO D. C. BAR

614 BOSLEY AVENUE
TOWSON, MARYLAND 21204
AREA CODE 301
828-9441
FAX 301-296-2131

July 24, 1990

Office of the Zoning Commissioner
for Baltimore County
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Attn.: Gwen Stephens

RE: Item #402
Special Hearing
Amoco Oil Company

Dear Gwen:

Please enter my appearance on behalf of the petitioner in the above referenced matter, and mark your file accordingly so that all future notices and comments will be forwarded to my office. Thank you.

Very truly yours,
[Signature]
Anthony J. DiPaula

AJD/amr
cc: Nick Commodari
C. T. Bogdanowicz
7 amr.14

RECEIVED
JUL 25 1990
ZONING OFFICE

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Amoco Oil Company</i>	
<i>Charles T. Bogdanowicz</i>	<i>614 Bosley Ave Towson md 21204</i>
<i>Richard T. Dore</i>	<i>14520 GREEN RD 21013</i>



